

REMARKS

Claims 1 and 2 are pending.

Claim Rejections under 35 U.S.C. § 102(e)

The Official Action states that claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0009022 (Klein *et al.*). Applicants respectfully traverse this rejection.

The relevant portions of Klein *et al.* relied upon in the Official Action are not prior art, because the subject matter relied upon in the rejection is not entitled to a priority date earlier than November 30, 1998. The Official Action states that Klein *et al.* discloses cells expressing FPRL-1, a GPCR and comprising an arrestin-GFP conjugate, and that the reference further discloses that the interaction of target FPRL-1 receptor protein with an arrestin-GFP conjugate and a ligand agonist can be detected by confocal microscopy. In particular, paragraphs 0036 and 0173 of Klein *et al.* are relied upon in support of the rejection. These aspects are not described in any of the parent applications of Klein *et al.*, (attached as Exhibits A - G). Matter not supported by a parent application is not afforded that priority date.

The presently claimed invention is entitled to the priority date of June 5, 1997. A copy of the parent application, now issued patent number 5,891,646, is attached as Exhibit H. In view of the above, Klein *et al.* is not relevant prior art.

As requested by the Examiner, an additional copy of page 6 of the Form PTO-1449, filed March 27, 2003, is enclosed for recordation of consideration. A supplemental information disclosure statement is also enclosed.


CONCLUSION

Accordingly, Applicants believe the application to be in condition for allowance, and respectfully request notice thereof at an early date. The Examiner is encouraged to telephone the undersigned at the below-listed number if, in the Examiner's opinion, such a call would aid in the examination of this application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240


By: Allen R. Baum
Registration No. 36,086

Date: 11/5/03